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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISCTRICK OF WASHINGTON  
7                   AT TACOMA

8                   UNITED STATES OF AMERICA                   NO. CR 23-5287 DGE  
9                   Plaintiff  
10                  v.  
11                  WAYLAN GRAVES,  
12                  Defendant

Order Continuing Trial and PTM  
Deadline

13                   Order

14                  Waylan Graves moves the Court to continue the trial in this case to sometime  
15                  on or before June 30, 2024 and adjust the Pretrial Motions Deadline accordingly.  
16                  He states that he needs more time to review the discovery, which has not yet been  
17                  produced, and consult with his attorneys in addressing the charges. The Government  
18                  advises that it has no opposition to the motion.

19                  The Court GRANTS the motion. In doing so, it makes the following  
20                  findings:

- 21                  1. The ends of justice served by granting this continuance outweigh the best  
22                  interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).  
23                  2. Proceeding to trial absent adequate time for the defense to prepare would

result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

3. The Court finds that the failure to grant the continuance requested by the defense would deny the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Based on Mr. Graves' Motion to Continue, and the Court's review of the files and records in this case, the Court finds that the defense needs additional time to review the discovery in this case and consult with Mr. Graves. This case involves two alleged incidents that will involve considerable discovery, some of which will be protected. The volume of evidence will take Mr. Graves more time to review than the current trial date allows.

Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time to meet the above objectives.

Accordingly, IT IS HEREBY ORDERED that the trial date is continued to

\_\_\_\_\_ and that the pretrial motions deadline shall be \_\_\_\_\_.

The resulting period of delay from the filing date of this motion until the new trial date is excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

IT IS SO ORDERED this \_\_\_\_ day \_\_\_\_\_, 2021.

David G Estudillo  
United States District Judge